

CHARTER TOWNSHIP OF DELTA
Public Meeting Room A
Delta Township Administration Building
7710 West Saginaw Highway
Lansing MI 48917

**TOWNSHIP BOARD REGULAR MEETING MINUTES FOR
MONDAY, MAY 6, 2013**

I. CALL TO ORDER

Supervisor Kenneth Fletcher called the meeting to order at 6:00 p.m.

II. OPENING CEREMONIES – Pledge of Allegiance

III. ROLL CALL

Members Present: Trustee Jeff Hicks, Trustee Dennis Fedewa, Trustee Doug Kosinski, Trustee Karen Mojica, Clerk Mary Clark, Treasurer Howard Pizzo, and Supervisor Kenneth Fletcher.

Members Absent:

Others Present: Community Development Director Mark Graham, Assistant Community Development Director Gary Bozek, Assistant Planner Chris Gruba, Township Engineer Gary Arnold, Sgt. Mark Wriggelsworth, Economic Director Ed Reed, Utilities Director Tom Morrissey, Finance Director Jeff Anderson, Township Manager Richard Watkins, and Deputy Manager Jenny Roberts

IV. PRESENTATIONS AND PROCLAMATIONS

1. 2012 Audited Financial Statements Bruce Dunn, Maner Costerisan

Bruce Dunn from Maner Costerisan Certified Public Accountants provided the Board with a brief overview of the Township's 2012 audited financial statements which included several technical changes that were required to be implemented this year versus prior years. The audit report was prepared using the country's generally accepted accounting principles and presented management's responsibility for the financial statements and the auditor's responsibility to express an opinion on the Township's effectiveness of reporting financial information. Mr. Dunn stated that overall, as of December 31, 2012, the Township's overall plan ended up as projected.

There was discussion on the Township's pension liabilities and other post employment benefits (OPEB) and assessing those demands in the future.

V. SET/ADJUST AGENDA

TRUSTEE HICKS MOVED THAT THE AGENDA BE APPROVED AS SUBMITTED.

TRUSTEE MOJICA SUPPORTED THE MOTION. MOTION PASSED 7-0.

VI. PUBLIC HEARINGS

2. Hearing on Assessment Roll – Huntington Acres Special Assessment District for Curb & Gutter Streets

Supervisor Fletcher opened the public hearing and asked if there was anyone in the audience who would like to speak on this matter.

There was no one.

Supervisor Fletcher noted that the Board received a letter from Heath Moyer of 105 Woodhaven Drive in opposition to the installation of curb and gutter within his subdivision.

CLERK CLARK MOVED TO CLOSE THE PUBLIC HEARING.

TRUSTEE FEDEWA SUPPORTED THE MOTION. MOTION PASSED 7-0.

The Township was scheduled to receive bids for the project on May 9, 2013, at which time we will review and, if prudent, adjust the assessment roll to reflect actual bid costs for the various curb and gutter-related construction items. If the assessment roll costs are increased by more than ten percent, another hearing will be required on the assessment roll.

VII. COMMUNICATIONS – None

VIII. PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA

County Commissioner Jim Osieczonek, 316 N. Creyts, addressed the Board on recycling efforts within the Township and possibly initiating curbside recycling. Mr. Osieczonek also addressed the Board on the inconsistencies in tax revenues Townships received for road maintenance and snow removal versus what villages and cities received and whether the Township would be interested in discussing this issue with state legislators or the Michigan Township's Association. He addressed his concerns with the lack of funds available for storm drain improvements and that more emphasis should be placed on preventive maintenance of storm drains in order to prevent costly repairs. Mr. Osieczonek asked the Township to consider the feasibility of installing a privacy fence behind several residences along Holloway Lane that backed up to the Michigan Avenue extension.

Supervisor Fletcher inquired as to whether the County Board of Commissioners would consider contributing revenue to the issues Mr. Osieczonek had raised this evening.

Mr. Osieczonek noted that he could address these issues with the County Board of Commissioners. He pointed out that the County shared the Township's concerns with funding liabilities and projecting future expenses.

IX. INTRODUCTION OF ORDINANCES - None

X. PASSAGE OF ORDINANCES

3. Adoption of Proposed Amendments to the Delta Township Vendors Ordinance – The Community Development Department recommends that the Township Board amend the text of several sections of the Delta Township Vendors Ordinance.

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD AMEND THE TEXT OF SECTIONS 42-1, 42-2, 42-4, 42-34, 42-35, 42-36 & 42-38 OF THE DELTA TOWNSHIP VENDORS ORDINANCE. THE TOWNSHIP CLERK IS HEREBY DIRECTED TO PUBLISH A NOTICE OF ADOPTION OF THE AMENDMENTS IN LOCAL NEWSPAPERS AND THE AMENDMENTS SHALL BECOME EFFECTIVE UPON PUBLICATION.

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 7-0.

Section 42-1 Definitions

Delete the definition of "special event".

Vendor means any person, including, but not limited to, the vending proprietor, agent, and employee, engaged in the act of vending as defined herein. For the purposes of this article, the terms "canvasser", "drummer", "hawker", "huckster", "itinerant merchant", "itinerant vendor", "peddler", "solicitor" and "transient merchant" shall be included as persons herein defined as vendors.

Section 42-2 Violations & Penalties

(b) The Township shall hold the legal property owner responsible for the cleanup and/or repair of any property within the township due to debris or damage caused by the vending activity. The property owner shall be notified by certified mail of the township's concerns regarding the cleanup and/or repair of any property due to a vending activity, and shall be given seven (7) days to clean up and/or repair the property to its original condition. If the code enforcement officer or his/her designee determines that sufficient cleanup

and/or repair has not commenced within the allotted time, the code enforcement officer or his/her designee shall cause the cleanup and/or repair of the property to commence. The property owner shall reimburse the Township for the cost of the cleanup and/or repair and any other out of pocket costs incurred by the Township, including any attorney fees and/or court costs incurred to enforce this article. The township may use any lawful means available to recover from the property owner the costs of the cleanup and/or repair of the property, including without limitation, any court costs and attorney fees to enforce this article.

(c) The property owner and vendor shall be responsible for violations of the provisions of this article.

Section 42-4 Rules of Conduct

Delete paragraph j and renumber the paragraphs following.

(n) The use of any temporary structure, building, stand, booth, trailer or similar structure shall be in compliance with the township zoning ordinance.

(p) Anyone participating in a licensed vending activity shall at all times wear the photo ID issued by the Township Clerk.

Sec. 42-34 Exceptions from license requirement.

Persons identified under this section shall not be required to obtain a vending license. In addition, all fees associated with the granting of such licenses shall also be waived. Persons excepted below shall otherwise comply with the applicable regulations.

(a) Persons operating yard sales, garage sales, bake sales or other similar types of activities from their own residentially zoned property, or from property on which they currently legally reside. These activities are intended to be temporary in nature and must comply with all applicable township ordinances.

(b) Persons selling produce on the same property on which it was grown. An activity permitted by this subsection must comply with all other applicable township ordinances.

(c) Persons involved in a vending activity representing a school, religious organization or charitable organization which is so classified for federal internal revenue purposes.

(d) Persons operating a regular delivery route, not including ice cream peddlers and similar vendors.

(e) Persons operating a food catering truck(s) that serve(s) multiple commercial and/or industrial properties for no more than thirty (30) minutes on any day.

Section 42-35 Application.

(1) The applicant's name, date of birth, driver's license number, address, a legible photocopy of their driver's license or a State ID card, vehicle description, license plate number, and phone numbers for home, work and cell phones.

(2) If the applicant intends to have persons other than himself/herself participate in the proposed vending activity, a list of such persons, including the information listed in section 42.35 (1), shall also be submitted to the township clerk prior to the approval of the vending license.

(12) A passport quality photograph shall be provided for each person participating in the vending activity.

Section 42-36 Investigation of applicant

Delete paragraph d.

Section 42-38. Exemptions from license fee requirements.

Delete paragraph 2 and renumber the paragraph following.

XI. CONSENT AGENDA

TREASURER PIZZO MOVED THAT THE CONSENT AGENDA BE APPROVED AS SUBMITTED.

TRUSTEE HICKS SUPPORTED THE MOTION.

ROLL CALL:

AYES: TREASURER PIZZO, TRUSTEE HICKS, TRUSTEE KOSINSKI, TRUSTEE MOJICA, CLERK CLARK, TRUSTEE FEDEWA, AND SUPERVISOR FLETCHER

NAYS: NONE

ABSENT: NONE

MOTION PASSED 7 TO 0.

4. Bills & Financial Transactions - \$6,710,764.84

TREASURER PIZZO MOVED THAT THE BILLS & FINANCIAL TRANSACTIONS BE APPROVED IN THE AMOUNT OF \$6,710,764.84.

Bond/Debt Payments	\$4,346,000.00
Investments	\$1,003,000.00
Payroll & Related	\$ 638,076.89
Refunds	\$ 2,293.69
Tax Distributions	\$ 13,070.77
Vendor Claims	\$ 708,323.49

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 7-0.

5. Minutes – April 15, 2013 Regular Board Meeting Minutes

TREASURER PIZZO MOVED THAT THE APRIL 15, 2013 REGULAR BOARD MEETING MINUTES BE APPROVED AS PRESENTED.

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 7-0.

6. Fireworks Display Permit for Delta Township – The Parks, Recreation, and Cemeteries Commission recommends that the Delta Township Board grant a permit for a fireworks display to be held July 3, 2012, with a July 5th rain date.

TREASURER PIZZO MOVED THAT THE REQUEST FOR A FIREWORKS DISPLAY ON JULY 3, 2013, WITH A JULY 5TH RAIN DATE, BY PARKS, RECREATION AND CEMETERIES COMMISSION BE GRANTED, SUBJECT TO ACCEPTABLE WEATHER CONDITIONS AND AN ON-SITE INSPECTION ON THE DAY OF THE DISPLAY BY THE FIRE CHIEF OR HIS DESIGNEE. FURTHER, THAT THE TOWNSHIP MANAGER BE AUTHORIZED TO SIGN THE ATTACHED AGREEMENT WITH NIGH MAGIC DISPLAYS.

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 7-0.

7. Surplus Property Disposal – The Accounting Department recommends that the Township Board approve the surplus property list attached along with the “sealed bid” method of disposal for each asset.

TREASURER PIZZO MOVED THAT THE TOWNSHIP BOARD APPROVE THE SURPLUS PROPERTY LIST ATTACHED ALONG WITH THE METHOD OF DISPOSAL LISTED NEXT TO EACH ITEM.

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 7-0.

**DELTA TOWNSHIP
 2013 SURPLUS PROPERTY
 LIST**

<i>Item #</i>	<i>Description</i>	<i>Dept.</i>	<i>Method of Disposal</i>
	2002 Dodge Pickup	Parks	State Auction
	Miscellaneous Locks/Keys	Clerk	Scrap Metal
	Sharp Copy Machine/Printer	IT	State Auction
20	Metal Coat Rack	Planning	Township Surplus Sale
21	Room Divider	Parks	Township Surplus Sale
22	Laptop Vehicle Mount	Building	Township Surplus Sale
23	Laptop Vehicle Mount	Building	Township Surplus Sale
24	Laptop Vehicle Mount	Building	Township Surplus Sale
25	Laptop Vehicle Mount	Building	Township Surplus Sale
26	John Deer Push Mower	Parks	Township Surplus Sale
27	Drafting Table	Building	Township Surplus Sale
28	Round 60 inch tables (lot of 5)	Parks	Township Surplus Sale
29	Round 60 inch tables (lot of 5)	Parks	Township Surplus Sale
30	Round 60 inch tables (lot of 5)	Parks	Township Surplus Sale
31	Round 60 inch tables (lot of 5)	Parks	Township Surplus Sale
32	Six Foot Flat Tables (2)	Building	Township Surplus Sale
33	Rolling Chair	Accounting	Township Surplus Sale
34	Stationary Chair	Accounting	Township Surplus Sale
35	Metal Cabinet	Accounting	Township Surplus Sale
36	Humidifier	Accounting	Township Surplus Sale
37	Lasko Cyclone Fan	Clerk	Township Surplus Sale
38	Lasko Cyclone Fan	Clerk	Township Surplus Sale
40	Desk Lamp	Clerk	Township Surplus Sale
41	Desk Lamp	Clerk	Township Surplus Sale
42	Desk Lamp	Clerk	Township Surplus Sale
44	Square Pedestal Table(48")	Clerk	Township Surplus Sale
45	Counter Top Slab	Clerk	Township Surplus Sale
46	Misc. Office Supplies	Clerk	Township Surplus Sale
47	Wall Map	Accounting	Township Surplus Sale
48	Panasonic Electric Letter Opener	Clerk	Township Surplus Sale
49	Panasonic Electric Letter Opener	Clerk	Township Surplus Sale
50	Panasonic Electric Letter Opener	Clerk	Township Surplus Sale
51	Panasonic Electric Letter Opener	Clerk	Township Surplus Sale
52	Panasonic Electric Letter Opener	Clerk	Township Surplus Sale
53	Panasonic Electric Letter Opener	Clerk	Township Surplus Sale
54	Panasonic Electric Letter Opener	Clerk	Township Surplus Sale
55	Misc. Office Supplies	Clerk	Township Surplus Sale

56	Sony Digital Camera	Utilities	Township Surplus Sale
57	Sony Digital Camera	Utilities	Township Surplus Sale
58	Metal Shelf	Accounting	Township Surplus Sale
59	NEC Monitor	Clerk	Township Surplus Sale

XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION - None

XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA - None

XIV. ITEMS OF BUSINESS

- 8. 2013 Utility Rate Increase** – The Finance Director recommends that the Board approve a rate increase of 5% for the water fund rates, and 2.5% rate for the sanitary sewer fund rates to be effective for the June 2013 billing.

Finance Director Jeff Anderson informed the Board that the Utility Committee unanimously recommended the rate increases for water and sewer in an effort to continue the Township's trend of the last 4 or 5 years of trying to be cash flow neutral. There would be a slight projected positive cash flow for each of these funds if the increases were approved. The Board was also provided with a comparison of the Township's rates with surrounding communities.

TRUSTEE HICKS MOVED THAT THE TOWNSHIP BOARD APPROVE A RATE INCREASE OF 5% FOR THE WATER FUND RATES, AND 2.5% FOR THE SANITARY SEWER FUND RATES TO BE EFFECTIVE FOR THE JUNE 2013 BILLING.

TREASURER PIZZO SUPPORTED THE MOTION. MOTION PASSED 7-0.

- 9. Final Consideration of Stahlberg Special Land Use Permit Request, Case No. 3-13-4** – The Community Development Department recommends that the Township Board approve the request for a Special Land Use Permit for a dog grooming home occupation on the property described in Case No. 3-13-4.

Assistant Planner Chris Gruba presented the case by stating that the Planning Commission held a public hearing on April 8th at which time the Commission concurred with staff's recommendation for approval. During the public hearing, several people in attendance expressed their opposition to the request and that the Board had been provided with petitions that had been signed by several residents in opposition to the home occupation. Mr. Gruba informed the Board that a similar request for a dog grooming business as a home occupation was requested on Shady Hill within the Mar Moor subdivision in 2005 that was denied by the Board. He pointed out that Zoning Ordinance permitted up to three dogs over the age of 6 months of age per household and that the Zoning Ordinance prohibited dog kennels within residential zoning districts. He noted that staff's interpretation of the number

of dogs per household did not include dogs that were brought to the home as part of the home occupation.

Trustee Fedewa said that it could be argued that dogs brought to the home on a daily basis was not temporary and could constitute a violation of the Township's Zoning Ordinance which limits homeowners to three dogs.

Trustee Hicks indicated that the same scenario could be said regarding the ordinance relative to the number of unrelated people that could live in a home and that staff wouldn't consider the number of kids that attended a barbeque at an individual's home as part of their day care operation. He noted that staff's interpretation of the number of dogs was consistent with other ordinances of a similar nature.

Trustee Kosinski said it was a question of intent and limiting the number of dogs per household obviously goes to the issue of on-going problems. He noted that the onus of the Board, if the request was approved this evening, was to ensure that those problems did not become a chronic problem as a result of dogs being brought to the home. He said that strict enforcement of the conditions listed in the application was consistent with the ordinance in order to avoid problems and that it relied on very strict compliance with those conditions on the part of the business operator.

Mr. Gruba indicated that the applicant had stated that none of the dogs brought to her home for grooming would be allowed outside.

Kelly Johnson, applicant in this case, said she was a single person trying to support herself with her small business that she had been operating for seven years. Ms. Johnson indicated that her business "Pampered Pooch" had been paying taxes to the Township and was registered with the Fire Department so that hazmat materials could be identified in case of a fire. Ms. Johnson pointed out that she had never received a complaint from any of her neighbors where she currently resided and that dogs were never allowed outside. She didn't have any intentions of kenneling dogs and that she groomed approximately six dogs a day. Ms. Johnson stated that the only time she had multiple dogs in her salon was if a customer owned more than one dog that was brought to her for grooming at the same time. Ms. Johnson indicated that she had three dogs of her own, but her dogs would not be interacting with her customer's dogs. She pointed out that customers would be using her front door to utilize the salon that would be located at the front of the house.

Supervisor Fletcher informed the Board that his wife took their dog to Ms. Johnson's for grooming services.

Arthur Sundeen, 4405 Wagon Wheel, said he was present this evening to represent 146 petitioners that were opposed to the requested home occupation based on the fact that the Mar Moor subdivision was used as a cut-thru and that additional traffic

would be generated by the home occupation. Mr. Sundeen expressed concerns with the fact that both the owner of the home and the operator of the business had indicated that they had four dogs and not three. He felt the requested home occupation belonged in a store front and not in a single family home and he urged the Board to deny the request.

Lisa Stahlberg, homeowner of the subject parcel, noted that she and Ms. Johnson would be living in the home and that they had both received a copy of the petitions that were filed with the Township in opposition to the request. She addressed the fact that she had two dogs and Ms. Johnson had one dog and that she had a third dog that she voluntarily hosted as a breeding stock dog for a service organization. Ms. Stahlberg pointed out that she wasn't aware of the three dog limitation per household and that she had voluntarily given the service dog back to the organization. Ms. Stahlberg indicated that the petitions included 108 signatures, but those signatures only represented 55 households which was less than a quarter of the 219 households within the Mar Moor subdivision. Ms. Stahlberg agreed that the Mar Moor neighborhood experienced cut-thru traffic because she had grown up in the neighborhood adjacent to Mar Moor and knew the area well. However, she didn't feel that should have any influence on whether or not the special land use permit was approved because it was something that couldn't be controlled. She didn't feel the request would generate any more traffic than a family of four living in the home. Ms. Stahlberg noted that the business was a quiet operation and that they wouldn't want to disturb the neighborhood because it would be their home and that she intended to live in the house for the rest of her life.

Ms. Stahlberg said at the time they purchased the home; it was in foreclosure and had sat empty for over a year. She indicated that the inside of the house had been stripped down to the studs and did not have a kitchen. She indicated that there had also been water issues that had produced mold. Ms. Stahlberg indicated that they were investing \$80,000 worth of renovations into the home and that they wouldn't do anything to jeopardize their investment.

Mike Defors, 4432 Shady Hill, stated that people moved into residential areas for different reasons and different expectations and as homeowners, one of the expectations was the tranquility and the traffic flow of the neighborhood. He pointed out that there were streets in Mar Moor that experienced cut-thru traffic and that the neighborhood would experience increased traffic as a result of the home occupation. Mr. Defors felt approving the request would set precedence and he referred to the request on Shady Hill that was denied by the Board that would have operated only three days as opposed to five days. He felt once one request was granted, it would be difficult to undo. He acknowledged the fact that subdivision deed restrictions weren't enforced as subdivisions aged and that the only recourse homeowners had left was to contact the Township. Mr. Defors stated that one of the general requirements for home occupations was that the applicant applying for the permit was the homeowner which was not the case in this request. He said there were

certain things that came with owning a home and someone who didn't have ownership interest in a home was reason to deny the request. He felt the Township's ordinance pertaining to the number of adult dogs on residentially zoned property was important to consider and that the dog grooming request that had been referred to at the Planning Commission meeting on St. Joe Highway made more sense due to the fact that St. Joe was a four lane road in a more rural area as opposed to a residential subdivision. Mr. Defors stated that he had lived in his home for 30 years and he moved there with certain expectations and due to the fact that residents couldn't go back now and attempt to enforce old deed restrictions, they were here this evening to ask the Board for help in complying with existing ordinances that govern this and give you a sound reason to deny it.

Trustee Kosinski questioned whether Mr. Defors was aware of deed restrictions within the Mar Moor subdivision that prohibited home occupations.

Mr. Defors said he didn't know whether the deed restrictions specifically prohibited home occupations, but the deed restrictions did restrict out buildings and parking of RV's next to a garage in order to protect the character of the neighborhood. However, he didn't feel the average homeowner researched deed restrictions.

Jennifer Sculler stated that she had been a client of Ms. Johnsons for five years and had been very impressed with the way she ran her business. She informed the Board that Ms. Johnson currently lived in the Snow Ridge subdivision and that you would have never known she operated out of her home.

Missy Reed, 959 Durango Drive, said she had lived next door to Ms. Johnson for eight years and until she started taking her dog to be groomed by Ms. Johnson, she never knew she operated a business out of her home. Ms. Reed indicated that her subdivision experienced a lot of traffic generated from students who attended Waverly High School, but she didn't know when customers came to Ms. Johnson's home and that she had never seen dogs outside or heard barking dogs. Ms. Reed indicated that whenever she had taken her dog to Ms. Johnson, there had never been any other dogs in her salon, or had she kenneled dogs overnight. Ms. Reed reiterated the fact that no one in the subdivision had ever complained about the operation and that Ms. Johnson kept her property immaculate.

Louise Driscoll, Wagon Wheel, said she backed up to the subject parcel and that she had two small dogs that she brought in when they started barking. Ms. Driscoll said there was a day when her dogs were barking and she noticed that there were three large dogs in the applicant's backyard. She couldn't imagine six dogs in the applicant's house and not being let out to go the bathroom. Ms. Driscoll indicated that the neighborhood experienced a lot of traffic and that the proposed business would add to those traffic volumes. She questioned whether a realtor informed the applicant if she would be allowed to operate a business out of the home, or whether

the applicant had asked. Ms. Driscoll questioned who would enforce the home occupation to make sure it was in compliance with the Township's regulations.

Pat Malacina, 925 Durango, said he had been a neighbor of Ms. Johnsons for ten years and he wanted to speak on behalf of Ms. Johnson. Mr. Malacina indicated that you would never have known Ms. Johnson had a business in her home and as stated by one of his neighbors, the neighborhood already experienced a high volume of traffic every day from students and cut-thru traffic and that the business only contributed three or four additional trips a day which he didn't feel would make much of a difference in his neighborhood or the Mar Moor neighborhood. Mr. Malacina noted that he had never witnessed dogs that she groomed outside and that when the dogs left Ms. Johnson's home, the owner had them on a leash, in a carrying kennel, or the owner was carrying the dog. Mr. Malacina noted that he had never heard any dogs barking in Ms. Johnson's house or outside and that her dog was one of the quietest dogs in the neighborhood. Mr. Malacina felt the Board should consider the fact that this was a business that should remain in the Township because she paid taxes and she kept her property well kept. He urged the Board to approve the special land use permit.

Mark Langswager said he worked with Lansing Schools as a canine public safety officer and Ms. Johnson groomed his dog for free because he provided a service to the community. Mr. Langswager stated that Ms. Johnson's house was immaculate and that you would never know she had a dog grooming business. He indicated that due to budget restraints, the canine department was totally funded through donations and Ms. Johnson was one of those that had donated to the Lansing School District. Mr. Langswager said he was present this evening on behalf of himself and many others and that he would be happy to live next door to Ms. Johnson. He urged the Board to approve the special land use permit.

Peter Dunlap, 4332 Barton, said he lived directly across from the subject parcel and he didn't feel the issue was what type of person the applicant was or what type of business she operated, but rather the issue was about operating any type of business in the neighborhood. He welcomed Ms. Johnson and Ms. Stahlberg to the neighborhood and were happy that they had purchased the home and were fixing it up, but he felt any type of business would add daily traffic to the neighborhood. Mr. Dunlap pointed out that the neighborhood didn't have sidewalks and that there were children in the neighborhood. He felt the issues were about the safety of the community and the character of the neighborhood. Mr. Dunlap supported the comments made by Mr. Defors and Mr. Sundeen in that respect.

Kelly LaGrave, said she was a Delta resident and she was present this evening to speak on behalf of Ms. Johnson. Ms. LaGrave stated that Ms. Johnson groomed her two dogs and she reiterated what others had said this evening about the fact that you wouldn't know Ms. Johnson had a dog grooming business in her home. Ms. LaGrave said dogs were not allowed to run loose outside and she realized that

people were concerned about the noise, but dogs were brought to Ms. Johnson's home on a leash and were taken home on a leash. She pointed out that a couple of people who had spoken this evening were Ms. Johnson's neighbors and she recommended that the Board listen to what those neighbors were saying. She felt the cut-thru traffic Mar Moor experienced should be addressed by traffic calming measures and that it didn't have anything to do with the request this evening. She pointed out that a family with children would generate more traffic to and from the home and that Ms. Johnson was a good business person who had not received any complaints from her neighbors at her current location. Ms. LaGrave didn't feel the Township would have any problems with Ms. Johnson complying with the restrictions imposed with the granting of the permit.

Ron Harke, 4235 Shady Hill, said he lived directly across the street from the property that was denied by the Township Board in 2005. Mr. Harke didn't know if anything had changed from that time, but he felt the Board was very specific in its ruling that the request didn't meet the general standards of the Township and that it would have a disquieting effect on the neighborhood. Mr. Harke felt 180 signatures were significant in an age when people didn't answer their doors. He had only become aware of the request by his neighbor and he felt the Township would have received a lot more feedback on the request if residents beyond 300 feet of the notification requirement were notified. Mr. Harke didn't know how the house would be modified to accommodate a dog grooming business, but he wasn't sure the house would have any value to anyone else in the future once the house had been modified. He felt the home business would have a negative effect on the neighborhood and he used the example where there were vacant homes located next to and across the street from a Respite home on Appletree Lane that the owners were unable to sell. He spoke about declining property values and the fact that the property owner wasn't the operator of the business, but rather she was bringing in a tenant with a commercial enterprise in order to help finance the house. Mr. Harke felt it would be commercializing a residential home and he didn't understand why another request for a dog grooming business was being considered when a precedent had already been set when the Township denied a similar request in 2005.

Carol Machaven said she was a client of Ms. Johnson and that Ms. Johnson had allowed them to bring their service animals in training to be groomed for free. She indicated that Ms. Johnson had been very accommodating with their training schedule and that she respected Ms. Johnson's business and her ability to help their organization.

Ms. Johnson proceeded to address a few of the concerns that had been raised this evening by noting that she used linoleum as flooring in her salon for easy cleanup. She felt there were signatures on the petition from individuals who operated a business out of their home in Mar Moor. Ms. Johnson noted that she had also been informed that the person who requested the dog grooming business on Shady Hill still operated her business out of her home. Ms. Johnson noted that some of her

clients walked their dogs to her home which resulted in less trips being generated, as well as clients who had more than one dog and those that stayed at her home while their dog was being groomed. She felt some of the signatures that were on the petition were not signed by the actual person which was a concern of hers. Ms. Johnson believed she deserved a chance and that she never created any issues where she currently operated. She didn't know what the solution was for the cut-thru traffic within the Mar Moor subdivision and that the three large dogs that were in her back yard were hers and not her customers.

Ms. Johnson said the dining room of the house would be modified such that if the house was ever sold, everything could be easily removed in order to be converted back into a dining room. She said the reason why she chose the dining room was because it wouldn't affect the rest of the house and that people could use the front door and circular drive and not have to park in the street. Ms. Johnson felt the improvements being made to the home would improve property values versus leaving the house vacant. She didn't feel her business was any different than others that were currently being operated in the neighborhood and that the reason why she didn't obtain a special land use permit for her current location was because she was unaware that a permit was required. Ms. Johnson said she was a tax paying resident and was attempting to comply with the Township's requirements.

Clerk Clark stated that she wasn't a fan of home occupations and that she had reluctantly voted in favor of home occupations in the past when residents within the neighborhood had not objected. She consistently had concerns because special land use permits went with the property and not the applicant and that the property could be sold to someone else who wanted to operate a dog grooming business. She felt it was important to judge each request individually and for her, that meant listening to the overwhelming number of residents objecting to the proposed request which was a very serious concern of hers. Ms. Clark didn't feel that purchasing a piece of residentially zoned property and requesting a different use mandated that the Board should approve it.

Treasurer Pizzo expressed concerns about protecting residential neighborhoods within the Township, particularly those at risk and with aging housing stock. He questioned whether the Township was doing enough to protect those neighborhoods. He felt the Township needed to rely on the residents to let us know their concerns. Mr. Pizzo stated that the Township couldn't stop the Respite house from locating in the Mar Moor subdivision, but a business that brought in additional dogs was different. Mr. Pizzo said he had listened and tried to keep an open mind, but he had concerns with the Township's pet ordinance because he felt three dogs per household were too many. He tried to keep an open mind, but he had to agree with protecting and serving the neighborhoods within the Township, particularly the Mar Moor subdivision that was at risk because of cut-thru traffic, the speed of traffic, and the nature of the economy in terms of maintaining homes. Mr. Pizzo was

concerned with setting a precedent that would allow a business that wouldn't help the neighborhood.

Trustee Kosinski said he was originally inclined to grant the permit based on the regulations contained in the Zoning Ordinance and how the Township defined a home occupation. He didn't question the fact that the applicant operated a very good business based on testimony from her neighbors, but the issues that he found compelling was the significant number of people who had signed a petition in opposition to the home occupation, as well as the fact that the permit went with the property which could create significant problems in the future. Mr. Kosinski felt there was a compelling nature to the "slippery slope" argument that if the Township started allowing more and more businesses into neighborhoods, it could seriously jeopardize the quality of the neighborhood at a time when this Board had committed itself to improving neighborhoods within the Township.

Trustee Hicks stated that he wasn't usually swayed by a room full of people for the simple fact that those that are opposition were generally the ones that would show up at a meeting versus those that were in favor of something. Mr. Hicks noted that he had been on the opposite side where he had taken a position that was countered by a room full of people, but in this particular instance, it was his inclination and his reading of this case was consistent with those of you that showed up in opposition. Mr. Hicks felt the use of the word "facility" to describe the request was somewhat dispositive of the nature of the intended use of the subject parcel. He had additional background relative to the subject parcel and the cut-thru traffic Mar Moor experienced because he grew up in the neighborhood. Mr. Hicks felt Mr. Dunlap raised a very important point that this was not a personal issue, but rather one of uniform enforcement and that he wasn't one to be swayed by the "slippery slope" argument because he liked to treat each case on its own merits. He didn't necessarily agree with the argument that the request could turn into a boarding or breeding operation, but at the same time, he felt there was a certain value associated with a similar set of circumstances and facts and applying the exact same ordinance being treated uniformly from a resident's standpoint. Mr. Hicks said consistent application of similar rules was very important to residents, as well for him, and that he tried to do the right thing and had voted in favor of home occupations in the past that had been low impact uses where the trip generation was low to non-existent. However, he noted that in this instance, the average single family home generation was 10 trips per day and that the request would add an additional 12 trips per day which would more than double what the average home generated. Mr. Hicks noted that he had sympathy for business entrepreneurs, but when he began his own business, out of deference for his neighbors, he didn't open his business in his house. Mr. Hicks said for those reasons, he wasn't inclined to vote in favor of the request this evening.

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD DENY THE REQUEST FOR A SPECIAL LAND USE PERMIT FOR A HOME OCCUPATION,

BEING DOG GROOMING, FOR THE PROPERTY AT 4333 BARTON ROAD, AS DESCRIBED IN CASE # 3-13-4 FOR THE FOLLOWING REASONS:

1. THE PROPOSED DOG GROOMING BUSINESS CAN NOT COMPLY WITH THE STANDARDS FOR THE GRANTING OF A SPECIAL LAND USE PERMIT AS SPECIFIED IN SECTION 18.4.0 A OF THE DELTA TOWNSHIP ZONING ORDINANCE AS FOLLOWS:
 - a. THE PROPOSED DOG GROOMING BUSINESS CAN NOT BE OPERATED SO AS TO BE COMPATIBLE WITH THE EXISTING RESIDENTIAL CHARACTER OF THE NEIGHBORHOOD AND COULD RESULT IN A CHANGE TO THE ESSENTIAL CHARACTER OF THE AREA. THE DOG GROOMING BUSINESS WILL GENERATE ADDITIONAL TRAFFIC IN THE AREA, THE SUBJECT PARCEL IS LOCATED IN THE CENTER OF THE NEIGHBORHOOD NECESSITATING THAT CUSTOMERS DRIVE BY NUMEROUS HOMES TO REACH THEIR DESTINATION, AND THE MAR-MOOR AREA LACKS SIDEWALKS WHICH COULD RESULT IN PEDESTRIAN/VEHICLE ACCIDENTS.
 - b. THE PROPOSED DOG GROOMING BUSINESS COULD INVOLVE ACTIVITIES AND CONDITIONS OF OPERATION THAT WILL BE DETRIMENTAL TO THE WELFARE OF THE NEIGHBORHOOD INCLUDING BARKING DOGS AND ON-STREET PARKING.
2. THE PROPOSED DOG GROOMING OPERATION WILL RELOCATE A NINE YEAR OLD ESTABLISHED BUSINESS WITH NUMEROUS CUSTOMERS TO A RESIDENTIAL AREA.
3. THE DELTA TOWNSHIP BOARD HAS PREVIOUSLY DENIED A SIMILAR REQUEST FOR DOG GROOMING AT 4232 SHADY HILL LANE WITHIN THE MAR-MOOR NEIGHBORHOOD IN 2005. (SEE CATHERINE PANGBORN, CASE # 4-05-5)

TRUSTEE KOSINSKI SUPPORTED THE MOTION.

Mr. Fedewa agreed with the comments that had been raised this evening. He felt the Board had been consistent with its analytical process. He thanked the applicants for their sincerity and the good business they wanted to pursue, but as Treasurer Pizzo had stated, something that was near and dear to this Board was neighborhood preservation, especially those neighborhoods at risk. Mr. Fedewa felt in this particular instance, a precedence that had been set in 2005 was something that was considered by a previous Board based on sound judgment and he felt this Board would be remiss if it wasn't taken into account. Mr. Fedewa felt the Township's Zoning Ordinance could use a review and that he didn't realize that home

occupations ran with the land and not the applicant. He asked at what point was there a critical mass when negative impacts occurred when several home occupations accumulated in neighborhoods that would be very difficult for the Board to recover from.

Supervisor Fletcher stated that he supported the concerns residents had expressed this evening regarding protecting the neighborhoods and the quality of life within the Township's residential areas. He said as Trustee Hicks had stated, there had been special land use permits that had been approved by the Board and some that had been denied, but they had all been reviewed on an individual basis. Mr. Fletcher said he didn't realize his wife took their dog to Ms. Johnson's for grooming until his wife became aware of her request for a home occupation. He stated that the Township had a lot of businesses within the Township that were being operated out of homes that the Township didn't know about and that he was concerned that if the Board denied this request, it would effect people coming forward for fear of being denied. Mr. Fletcher said the fact that Ms. Johnson's neighbors in her current neighborhood had come forward in support of Ms. Johnson was something to be considered and he questioned whether some of the concerns that had been raised this evening would come to fruition because the business hadn't appeared to be disruptive to her current neighborhood. Mr. Fletcher noted that there were day care operations throughout the Township that allowed up to six children in a family day care and up to 12 children in a group day care that generated traffic and were not disruptive to neighborhoods. He didn't feel the proposed request would generate any more traffic than a day care and that there were probably day care operations that were located within the Mar Moor neighborhood that had up to six kids. Mr. Fletcher said he was inclined to grant Ms. Johnson a special land use permit due to the fact that the Township had the ability to rescind a permit if violations occurred.

Ms. Johnson addressed the Board about the issue of homeowner versus non-homeowner by stating that the house was required to be purchased with cash because it did not have a kitchen. She noted that Ms. Stahlberg and she were in the process of installing a kitchen so that they could obtain a mortgage that would include both of their names on the deed. Ms. Johnson stated that her name couldn't be on the deed of the house until her divorce had been finalized. Ms. Johnson noted that they were not aware of any deed restrictions for Mar Moor and that they had purchased the property from Fanny Mae. She felt the petition that was signed by several of the residents was incorrect and that several of the signatures had been falsified. Ms. Johnson didn't feel the "pet sitting" business that was located in the subdivision had any relevancy. She reiterated the fact that they would be mortgaging the property as soon as they legally could so that both of their names would be on the mortgage.

Clerk Clark stated that it wasn't a matter of who owned the property, but rather the concern she had was that the special land use permit went with the property and not the applicant.

Trustee Hicks pointed out that the Township was prohibited from regulating day care operations up to six children and that day care operation with seven to 12 children required a special land use permit. Mr. Hicks said he also had an appreciation for the “chilling effect” for the simple reason that Ms. Johnson and Ms. Stahlberg were being penalized for coming forward and doing the right thing when there were others that didn’t come forward. However, he said the Board had to continue to enforce what they were aware of and that there had been many instances where complaints the Township received were resident driven and that the Township didn’t actively patrol neighborhoods looking for violations.

MOTION PASSED 6-1 (FLETCHER).

10. Final Consideration of Simons Special Land Use Permit, Case No. 3-13-5 – The Community Development Department recommends that the Township Board approve the request for a Special Land Use Permit for retail sales of new and used heavy trucks and equipment weighing over 10,000 pounds for 4820 Empire Way.

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP PLANNING COMMISSION RECOMMEND APPROVAL OF THE SPECIAL LAND USE PERMIT (CASE NO. 3-13-5) REQUESTED BY STEVE SIMONS TO ALLOW FOR HEAVY TRUCK AND EQUIPMENT SALES FOR THE FOLLOWING REASONS:

1. THE REQUEST IS CONSISTENT WITH THE PROVISIONS OF THE DELTA TOWNSHIP COMPREHENSIVE PLAN AND THE ZONING ORDINANCE.
2. THE REQUEST CAN BE OPERATED SUCH THAT IT IS COMPATIBLE WITH SURROUNDING LAND USES.

THE SPECIAL LAND USE PERMIT IS RECOMMENDED FOR APPROVAL SUBJECT TO THE FOLLOWING STIPULATIONS:

1. IF THERE ARE INOPERATIVE VEHICLES STORED OUTSIDE, THEY MUST BE SCREENED BY A 6’ TALL, OPAQUE FENCE.
2. THE PARKING LOT MUST BE STRIPED TO ALLOW FOR 9 REGULAR SPACES AND 1 BARRIER-FREE PARKING SPACE AS REQUIRED BY THE ZONING ADMINISTRATOR.
3. FAILURE OF THE APPLICANT TO COMPLY WITH ANY OF THE PROVISIONS REQUIRED BY THE ZONING ORDINANCE, OR ANY STIPULATIONS REQUIRED BY THE DELTA TOWNSHIP BOARD, SHALL CONSTITUTE GROUNDS FOR TERMINATION OF THIS PERMIT BY THE TOWNSHIP BOARD.

TRUSTEE MOJICA SUPPORTED THE MOTION. MOTION PASSED 7-0.

- 11. Final Consideration of Baker Institutional Use Special Land Use Permit, Case No. 3-13-6** – The Community Development Department recommends that the Township Board approve the request for a Special Land Use Permit requested for the establishment of a skilled nursing facility on property described in Case No. 3-13-16.

TRUSTEE MOJICA MOVED THAT THE DELTA TOWNSHIP PLANNING COMMISSION RECOMMEND TO THE DELTA TOWNSHIP BOARD APPROVAL OF THE SPECIAL LAND USE PERMIT REQUESTED FOR THE PROPERTY DESCRIBED IN CASE NO. 3-13-6 FOR AN INSTITUTIONAL USE IN ORDER TO ESTABLISH A SKILLED NURSING FACILITY OFFERING SHORT-TERM REHABILITATION AND LONG-TERM CARE SERVICES ON THE SUBJECT PARCEL. THE COMMISSION FINDS THAT THE PROPOSED USE MEETS THE SPECIAL LAND USE PERMIT CRITERIA SPECIFIED IN SECTION 18.4.0 OF THE DELTA TOWNSHIP ZONING ORDINANCE AS FOLLOWS:

1. THE PROPOSED USE IS COMPATIBLE WITH THE GOALS AND POLICIES OF THE DELTA TOWNSHIP COMPREHENSIVE PLAN AND THE INTENT OF THE ZONING ORDINANCE.
2. THE PROPOSED USE IS COMPATIBLE WITH THE VARIOUS COMMERCIAL, INSTITUTIONAL, AND RESIDENTIAL LAND USES ALREADY ESTABLISHED IN THE GENERAL VICINITY OF THE SUBJECT PARCEL.
3. PUBLIC ROAD, WATER, SANITARY SEWER & STORM DRAINAGE SYSTEMS, AND EMERGENCY SERVICES ARE IN PLACE AND ADEQUATE TO SERVE THE PROPOSED DEVELOPMENT.
4. THE USE WILL NOT INVOLVE USES, ACTIVITIES, PROCESSES, MATERIALS, AND EQUIPMENT OR CONDITIONS OF OPERATION THAT WILL BE DETRIMENTAL TO THE NATURAL ENVIRONMENT, PUBLIC HEALTH, SAFETY, OR WELFARE BY REASON OF EXCESSIVE PRODUCTION OF TRAFFIC, NOISE, SMOKE, ODORS, OR OTHER SUCH NUISANCE.

APPROVAL OF THE SPECIAL LAND USE PERMIT IN THIS CASE IS SUBJECT TO THE FOLLOWING STIPULATIONS:

1. AN ASSESSMENT SHALL BE MADE TO DETERMINE IF ANY REGULATED WETLANDS ARE PRESENT ON THE SITE.

2. ADDITIONAL RIGHT-OF-WAY FOR BROADBENT ROAD SHALL BE PROVIDED AS PER THE REQUIREMENTS OF THE EATON COUNTY ROAD COMMISSION ALONG THE WESTERN BROADBENT ROAD FRONTAGE OF THE SUBJECT PARCEL.
3. AN EASEMENT FOR THE FUTURE EXTENSION OF CARLSON ROAD SHALL BE PROVIDED AS PER THE REQUIREMENTS OF THE EATON COUNTY ROAD COMMISSION ALONG THE NORTHERN PROPERTY LINE OF THE SUBJECT PARCEL.
4. FAILURE OF THE APPLICANT TO COMPLY WITH ANY OF THE PROVISIONS REQUIRED BY THE DELTA TOWNSHIP ZONING ORDINANCE, OR ANY STIPULATIONS REQUIRED BY THE DELTA TOWNSHIP BOARD IN GRANTING THE SPECIAL LAND USE PERMIT, SHALL CONSTITUTE GROUNDS FOR TERMINATION OF THE SPECIAL LAND USE PERMIT BY THE DELTA TOWNSHIP BOARD.

Trustee Fedewa inquired about the traffic generation on Broadbent from the proposed development.

Community Development Director Mark Graham stated that there were several concerns raised at the Planning Commission meeting about additional traffic along Broadbent Road, as well as inquiries regarding the lack of a traffic signal at the Saginaw/Broadbent Road intersection. Mr. Graham said an inquiry was also made in regards to why the access point for the development couldn't be on Saginaw Highway and it was noted that the developer didn't own frontage along Saginaw Highway that could accommodate a driveway. He noted that traffic generated to the proposed facility would be by visitors and employees and that the facility would consist of long care and short term rehabilitation. Mr. Graham noted that staff had prepared a comparison of traffic generation for the proposed use versus a single family neighborhood where density was applied and it was found that traffic generation was almost a wash between what would be generated by single family homes versus the proposed facility. Mr. Graham pointed out that the property was zoned commercial and that a number of commercial uses could generate a lot more traffic. He indicated that the Township's master plan recommended that Carlson Drive be extended to the east to Marketplace when property further to the east was developed.

Clerk Clark questioned whether the proposed development would generate enough traffic on Broadbent Road to warrant a traffic signal at the Saginaw/Broadbent intersection.

Mr. Graham said he didn't know how many trips would have to be generated before a traffic signal was installed. He noted that staff met once a year with MDOT representatives and would bring this matter to their attention.

Trustee Kosinski noted that the proposed facility may generate a greater need for emergency vehicle responses that would necessitate a traffic signal with a timer.

Roy Baker, Architect for Ciena Healthcare Management Inc., 23761 Research Drive, Farmington Hills, Michigan, said they had met with residents after the Planning Commission meeting and had already made modifications to the site plan in order to address some of the resident's concerns. Mr. Baker noted that they would continue to work with the residents on this project.

Trustee Fedewa questioned if Mr. Baker had examples of elevations of their facilities.

Mr. Baker noted that the staff report provided a good description of the projects, as well as their website. He didn't bring any photographs with him this evening, but their facility was residential in character.

TRUSTEE KOSINSKI SUPPORTED THE MOTION. MOTION PASSED 7-0.

12. Adoption of Fee Schedule for the Community Development Department and Clerk's Office – The Community Development Department recommends that the Township Board adopt fee schedules for the Community Development Department and the Clerk's office.

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD ADOPT THE FOLLOWING FEE SCHEDULES FOR THE PLANNING & BUILDING DIVISIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT AND FOR THE CLERK'S OFFICE. THE TOWNSHIP CLERK IS INSTRUCTED TO PUBLISH THE FEE SCHEDULES WHICH SHALL BECOME EFFECTIVE IMMEDIATELY:

TRUSTEE FEDEWA SUPPORTED THE MOTION. MOTION PASSED 7-0.

Clerk's Office

Vending License Fees:

- \$350 application fee for a new stationary vendor's license. The \$350 fee provides the vendor with up to five background investigations as required by Section 42-36 of the Code of Ordinances for vending employees. A fee of \$10 is required for background investigations for each employee exceeding five.
- \$125 application fee for a new door-to-door vendor license. The \$125 fee provides the vendor with up to five background investigations as required by Section 42-36 of the Code of Ordinances for vending employees. A fee of \$10 is required for background investigations for each employee exceeding five.

- \$75 for renewal of a vendor license within six months of the issuance of the original license.

Going Out of Business License Fee

- \$50 license fee for a Going Out of Business sale

Community Development Department

Building Division

<u>Building Value</u>	<u>Fee</u>
\$1.00 to \$3,000	\$70.00
\$3,001 to \$50,000	\$70.00 for the first \$3,000 plus \$6.50 for each additional \$1,000 or fraction thereof, to and including \$50,000.
\$ 50,001 to \$ 1,000,000	\$375.00 for the first \$50,000 plus \$5.50 for each additional \$1,000 or fraction thereof, to and including \$1,000,000.
\$1,000,001 to \$ 5,000,000	\$5,600.00 for the first \$1,000,000 plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$5,000,000.
\$ 5,000,001 to \$10,000,000	\$23,600.00 for the first \$5,000,000 plus \$3.50 for each additional \$1,000 or fraction thereof, to and including \$10,000,000.
\$10,000,001 and up	\$41,100.00 for the first \$10,000,000 plus \$2.20 for each additional \$1,000 or fraction thereof.

Plan Review Fee

When a plan or other data are required to be submitted in accordance with code, except R3 structures and U structures having a building value of \$3,000 or less, a Plan Review Fee shall be paid at the time of building permit fee. Said Plan Review Fee shall be fifty per cent (50%) of the Building Permit Fee as shown in the Building Permit Fee Schedule noted above.

Exception: The plan review fee for residential buildings and accessory buildings shall be ten percent (10%) of the Building Permit Fee.

Building value shall mean the value of construction as estimated by the contractor or homeowner. However, for the determination of building value per sq. ft. such value shall not be less than that contained in the latest most current “Building Valuation Data” as contained in the publication known as “Building Safety Journal,” as published by the International Code Council, 900 Montclair Road, Birmingham, AL 35213-1206.

The BVD “Square Foot Construction Costs” was compiled by International Code Council (ICC) using the Marshall Valuation Service, as published by the Marshall and Swift Publication Company, Los Angeles, California.

Again, it should be noted when using this data, that these are “average” costs based on typical construction methods for each occupancy group and type of construction. The average costs include structural, electrical, plumbing, mechanical, interior finish, normal site preparation, architectural and design fees, overhead and profit.

Because the scope of alterations or repairs to an existing building can vary so greatly, the square foot construction cost does not reflect accurate values for that purpose. However, the square foot construction cost can be used to determine the cost of an addition that is basically a standalone building, which happens to be attached to an existing building.

The square footage used to determine value shall be the area within the external dimensions of the building.

Exception: 1. The above shall not apply to premanufactured residential units.

Exception: 2. The minimum building value for pole barns used as accessory to residential, shall be calculated at \$14.00 p.s.f. (with concrete floor) and charged at the rates listed above, with a minimum of \$100.00.

Exception 3. The minimum building value for unheated decks and/or porches with roofs shall be calculated at \$20.00 p.s.f. and charged at the rates listed above, with a minimum of \$60.00 for any one permit.

Exception: 4. Finished basements in existing homes shall be charged at the building value listed above, with a minimum of \$90.

MISCELLANEOUS FEES

1. Wood patio decks without roofs on existing single family homes	\$70
2. Fences exceeding a height of 6 ft.....	\$45
3. Re-roof of residential buildings & residential garages	\$70
4. Swimming pools, spa, hot tub.....	\$70

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- 5. Pre-manufactured church classroom or office unit..... \$100
per unit
- 6. Special Inspections, such as, but not limited to:
 - a. State of Michigan License for Vehicle Dealers, Automotive Recyclers, Vehicle Parts Dealers, etc. \$200
 - b. Additional Inspection, per inspection..... \$ 70
- 7. Pre-manufactured Housing Units

P.D.U. = Per Dwelling Unit

- a. One and two family homes, including mobile homes not located in mobile home parks.....\$100 P.D.U.
- b. Apartments and condominiums\$200 P.D.U.
- c. Hotels and/or Motels \$200 P.D.U.
- d. Mobile homes in mobile home parks: \$100 P.D.U.

Note: The above fees for pre-manufactured housing units do not include fees for basements, electrical, plumbing or on site conventional construction of additions, such as but not limited to rooms, garages carports, and restaurants in conjunction with hotels, and/or motels.

8. Demolition Permit Fees

The following fees shall be charged for permits to wreck buildings and structures and for moving buildings and structures out of Delta Township:

- a. Dwelling, private garages, sheds, barns \$ 50
 - b. For all buildings not mentioned in line (A) above \$100
9. Moving Permit Fees

The following fees shall be charged to move buildings into the Township and to move buildings within the Township:

- a. Private garages, sheds, barns..... \$ 50
- b. Dwellings..... \$100

Note: The above moving permit fees do not include the footings, foundation, or basement. The above moving fees do not apply to pre-manufactured buildings.

10. Appeal Fees

Building, Mechanical, Plumbing, Electrical and Sign..... \$150.00

11. Refund of Fees

Holders of permits upon which work has not been started may make written application for a refund of fees paid for such permits, provided such application is made by the same person or corporation who originally applied for such permit within three (3) months of issuance. Upon verifying the facts in such cases, the Township shall refund all fees in excess of minimum fee/application fee paid on building, electrical, mechanical, plumbing and sewer permits and all fees in excess of \$5 on sign permits.

12. Issuance of Building Permit

Issuance of a building permit shall be construed to mean the time that the building permit fee has been paid in full and either the building permit or the application for building permit has been signed by the appropriate applicant and the Building Division Official.

BUILDING PERMITS

Residential

Main/upper floors	\$66.00 per sq. ft.
Unfinished basement	\$14.30 per sq. ft.
Finished basement (new residential)	\$17.70 per sq. ft.
Garage	\$20.00 per sq. ft.
Plan Review	10% of permit fee

13. License Registration

Electrical, Mechanical & Plumbing Contractors	\$15 every 3 years
Drain layer license fee	\$25 each year
Storm permit fee	\$25 for each new residence

MECHANICAL PERMIT FEES

Application Fee	\$70.00 includes 1 inspection
Residential heat system	\$50.00
Gas/Oil Burning Equipment*	\$30.00
Residential boiler*	\$30.00
Water heater	\$ 5.00
Flue/vent damper	\$25.00
Prefab fireplace*	\$30.00
Gas Piping each opening	
new installation	\$ 5.00
Duct	\$25.00 minimum
Process Piping-min. \$5.00	\$.10 per ft
Residential AC/Heat pumps	\$30.00

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Commercial Hood (type I)	\$60.00
Commercial Hood (type II)	\$30.00
Roof Top Units	\$45.00
Exhaust Ducts (per exhaust outlet)	\$ 5.00
Unit heater	\$30.00
Air handler	\$30.00
(res air handler w/other Appliances)	\$10.00
Commercial AC/Refrigeration	\$50.00 per compressor
Fire Suppression System	\$.75 per head, \$45.00 minimum
Other appliances or equip	\$ 30.00
Investigation Fee	\$ 50.00
Additional Inspection	\$ 70.00
Final Inspection	\$ 70.00
*(includes vent & gas piping)	

PLUMBING PERMIT FEES

Application Fee	\$70.00 includes 1 inspection
Sanitary Sewer	\$25.00 6" and greater
Sanitary Sewer	\$15.00 less than 6"
Sewage ejectors and sumps	\$10.00
Fixtures: Water connected	
Appliances and devices	\$ 5.00
Sub soil drains/storm	\$10.00
All other drains and traps	\$10.00
Domestic water softener	\$ 5.00
Backflow preventer	\$10.00
Water service	\$10.00
Stacks, vents and conductors	\$10.00
Water distribution	\$15.00 for ¾", \$5 for each pipe size increase
Grease trap oil/sand interceptor	\$10.00
Medical gas system base	\$50.00
Medical gas	\$ 5.00 per outlet
Investigation fee	\$50.00
Additional Inspection	\$70.00
Final Inspection	\$70.00

ELECTRICAL PERMIT

Application fee	\$ 70.00 includes 1 inspection
Service through 200 amps.	\$ 25.00
Service> 200-600 amps	\$ 30.00
Service> 600-800 amps	\$ 45.00
Service> 800-1000 amps	\$ 60.00
Service over 1000 amps	\$.10/amp

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Circuits	\$ 7.00
Generators	\$ 25.00
Lighting fixtures	\$ 15.00 per 25 fixtures
Dishwasher/disposal	\$ 8.00
Furnace – unit heater	\$ 8.00
Electrical heating units	\$ 6.00
Power outlets	\$ 10.00
Feeders	\$ 15.00 per 50 feet
Air conditioning unit	\$ 10.00
Units up to 20 KVA or HP	\$ 10.00
Units 21-50 KVA or HP	\$ 20.00
Units over 50 KVA or HP	\$ 30.00
Units over 100 KVA or HP	\$ 50.00
Signs – unit	\$ 20.00
Signs – neon	\$ 30.00 per 25 feet
Fire alarms – up to 10 devices	\$ 75.00
Fire alarms- 11-20 devices	\$150.00
Fire alarms/each device Over 20	\$ 7.00
Swimming pool or hot tub	\$ 25.00
Conduit or grounding only	\$ 45.00
Energy Temperature Control	\$ 50.00
Special/safety inspection	\$ 50.00
Investigation fee (Late Permit)	\$ 50.00
Additional Inspection	\$ 70.00
Final Inspection	\$ 70.00

SIGNS

Permit application fee for pole signs, ground signs & billboards	\$65
Permit application fee for wall, projecting & marquee signs	\$30
Sign Variance application fee	\$150
Permit application fee for temporary signs	\$50 for 15 days
Permit application fee for unified business development signage plans	\$500
Permit application fee for On-Premises Product Display	\$100
Refundable deposit for temporary mobile signs (trailer mounted signs)	\$150

RENTAL PROPERTIES

Rental Property Per Building Fee	\$205*
*10% rebate for properties that pass with only 1 inspection	
Rental Property Per Unit Registration Fee	\$20
Rental Property Late Fee (Plus Civil Infraction Fines)	\$45
Rental Property Re-inspection Fee (after 1st inspection)	\$45
Trades Inspection (Only when deemed necessary) Per Inspector	\$45 per Inspector
No-Show/Re-inspection Fee	\$45

Planning Division

Rezoning Application	\$800
Special Land Use Permit Application	\$800 (Regular SLU Permit)
	\$125 (SLUs for home occupations & group day care)
	\$200 (Extension of an existing SLU Permit)
	\$1,300 (SLU Permit & Rezoning Filed together on 1 parcel)
Zoning Variance Application	\$350
Zoning Ordinance Text Amendment	\$275
Sidewalk Variance Application	\$265
Appeal of Zoning Administrator's Decision & interpretations	\$150
Zoning Verification Letters	\$50 minimum plus \$25/hr. over 2 hours
Lot Split Application (Subdivision)	\$150 (parent parcel & 1 split, \$25 each additional split)
Land Division Application` (Metes & Bounds)	\$100 (parent parcel & 1 split, \$25 each additional split)
Site Plan Review Applications	\$200 (sites 2 acres or less) \$500 (sites more than 2 acres)
Subdivision Plat Applications	
Tentative Preliminary Plat	\$300 plus \$10 per lot
Final Preliminary Plat	\$120 plus \$10 per lot
Final Plat	\$300

XV. MANAGER'S REPORT

Township Manager Watkins informed the Board of the following:

- The cost to print The Township's Water Quality Report was \$1700, as well as additional costs incurred for mailing the report out with utility bills. The Board of Water & Light initiated approval to send out business cards with a QR code cards that could be scanned to access the report resulting in a savings of printing and mailing costs.
- Elmwood Drive would be resurfaced in June. The Township has hired a transportation consultant to look at a road diet at the northern end of the road in order to provide bike lanes that would connect to the Township's pathway and the bike lanes along Willow Hwy. The consultant would also review the crossing of the pathway to the Library and what type of signage and striping should be used.

- Engineering Plans for the trail adjacent to the Library would be finalized soon and would be put out for construction bids.
- The issue of Firework limitations would be coming back to the Board for further discussion.
- The new portable speed sign the Township purchased was being tested to determine what type of information could be received from this type of signage.

XVI. COMMITTEE OF THE WHOLE

13. Non-Conforming Uses in the Township's Industrial Tract – Mark Graham

Mr. Graham provided the Board with an overview of a case that involved a homeowner on Mt. Hope Highway that had requested permission to demolish his existing home and build a new home. He noted that the home was classified as a legal non-conforming use due to the fact that the property was zoned industrial. Mr. Graham said acting in his capacity as Zoning Administrator, he denied the property owner permission because of provisions contained in the Zoning Ordinance that didn't allow non-conforming structures to be rebuilt. He noted that the property owner filed a variance request with the Zoning Board of Appeals (ZBA) and in a split vote; the ZBA approved his request to rebuild the home. Mr. Graham said the general consensus of the ZBA was that after finding out the Township had 24 homes in the Township with a similar situation throughout the industrial tract, this issue should be brought to the attention of the Township Board in order to direct staff to further investigate the various issues regarding the non-conforming homes within the industrial tract and how this issue could be addressed.

Board members discussed the issues that accompanied legal non-conforming uses and the constraints placed on the ZBA when these types of variance requests came before them and the fact that there could be similar requests in the future. The Board directed staff and the Township Attorney to move forward and investigate the various issues pertaining to non-conforming homes in the Township's industrial tract and offer recommendations.

XVII PUBLIC COMMENTS - None

Supervisor Fletcher informed the Board that Tri-County Regional Planning Commission would be holding an informational meeting tomorrow evening to present ideas for the final section of the Michigan Avenue redevelopment project consisting of the area from the Capital building east towards Webberville.

XVIII ADJOURNMENT

Supervisor Fletcher adjourned the meeting at 9:01 p.m.

CHARTER TOWNSHIP OF DELTA

KENNETH FLETCHER, SUPERVISOR

MARY CLARK, CLERK

/as
M:\Regular Board Meeting\BD\MIN\May 6, 2013
Minutes Approved: May 20, 2013